

Filed  
RECEIVED  
Western District of Washington  
at Seattle

Adv 18-1047

4/26/2018 MAY - 1 2018 # 17-14972-MLB

MARK L. HATCHER, CLERK  
OF THE BANKRUPTCY COURT

Complaint regarding Adversary  
filing and Motion to Re-Open Chapter 7  
Bankruptcy on my behalf.

At the time of my original filing  
Chapter 7, I was unaware I needed to  
file an Adversary Proceeding for my  
student loan debt, therefore I am  
asking the court to re-open my  
bankruptcy.

My Chapter 7 bankruptcy has proven  
that I am unable to make any more  
payments and such would create an  
extreme undue hardship.

First off I am unable to afford  
to live on my own with my current  
income or to maintain a minimal standard  
of living if I were to have to repay  
these loans.

Also, I try very hard to pick up  
extra shifts at my current employment

Page 2

Just to be working part-time. My current position is 56 hours every two weeks. I am constantly looking for another or a second job. I do not expect my circumstances to change anytime soon.

Finally, I had at one point been self-employed and was making payments on my student loan through WA State University, I was making an effort. I have always complied with all deferment and forbearance requirements.

These student loans are over 20 years and have ballooned from \$ 25,000 to \$50,000 with all the added interest.

I honestly feel like I will never be able to get ahead or break even. I am unable to pay these loans and am truly sorry for that.

I request the court to discharge these loans for the above reasons.

Page 3

Thank you; your honor for  
consideration with this request.

Angela Brown

Received  
FILEDWestern District of Washington  
at SeattleADVERSARY PROCEEDING NUMBER  
(Court Use Only)

MAY - 1 2018

|  |  |   |
|--|--|---|
| <b>ADVERSARY PROCEEDING COVER SHEET</b><br>(Instructions on Reverse)   |  | ADVERSARY PROCEEDING NUMBER<br>(Court Use Only)   |
| PLAINTIFFS <i>Angela Brown</i>   |  | DEFENDANTS<br><i>Mohela</i><br><i>MARK L. HATCHER, CLERK<br/>OF THE BANKRUPTCY COURT</i><br><i>Washington State University</i>  |
| ATTORNEYS (Firm Name, Address, and Telephone No.)<br><br><i>none</i>   |  | ATTORNEYS (If Known)  |
| PARTY (Check One Box Only)<br><input checked="" type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin<br><input type="checkbox"/> Creditor <input type="checkbox"/> Other<br><input type="checkbox"/> Trustee  |  | PARTY (Check One Box Only)<br><input type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin<br><input checked="" type="checkbox"/> Creditor <input type="checkbox"/> Other<br><input type="checkbox"/> Trustee   |
| CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED)<br><i>undue Hardship caused by excessive student loan debt.</i>   |  |   |
| <b>NATURE OF SUIT</b><br>(Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)  |  |   |
| <b>FRBP 7001(1) – Recovery of Money/Property</b><br><input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property<br><input type="checkbox"/> 12-Recovery of money/property - §547 preference<br><input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer<br><input type="checkbox"/> 14-Recovery of money/property - other                  |  | <b>FRBP 7001(6) – Dischargeability (continued)</b><br><input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support<br><input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury<br><input checked="" type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan<br><input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce or separation obligation<br>(other than domestic support)<br><input type="checkbox"/> 65-Dischargeability - other |
| <b>FRBP 7001(2) – Validity, Priority or Extent of Lien</b><br><input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property   |  | <b>FRBP 7001(7) – Injunctive Relief</b><br><input type="checkbox"/> 71-Injunctive relief – imposition of stay<br><input type="checkbox"/> 72-Injunctive relief – other  |
| <b>FRBP 7001(3) – Approval of Sale of Property</b><br><input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h)   |  | <b>FRBP 7001(8) Subordination of Claim or Interest</b><br><input type="checkbox"/> 81-Subordination of claim or interest  |
| <b>FRBP 7001(4) – Objection/Revocation of Discharge</b><br><input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e)   |  | <b>FRBP 7001(9) Declaratory Judgment</b><br><input type="checkbox"/> 91-Declaratory judgment  |
| <b>FRBP 7001(5) – Revocation of Confirmation</b><br><input type="checkbox"/> 51-Revocation of confirmation   |  | <b>FRBP 7001(10) Determination of Removed Action</b><br><input type="checkbox"/> 01-Determination of removed claim or cause   |
| <b>FRBP 7001(6) – Dischargeability</b><br><input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims<br><input type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation,<br>actual fraud<br><input type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny<br>(continued next column) |  | <b>Other</b><br><input type="checkbox"/> SS-SIPA Case – 15 U.S.C. §§78aaa et seq.<br><input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court<br>if unrelated to bankruptcy case)  |
| <input type="checkbox"/> Check if this case involves a substantive issue of state law  |  | <input type="checkbox"/> Check if this is asserted to be a class action under FRCP 23   |
| <input type="checkbox"/> Check if a jury trial is demanded in complaint  |  | Demand \$   |
| Other Relief Sought  |  |   |

| BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES      |  |                             |
|--|--|-----------------------------|
| NAME OF DEBTOR<br><i>Angela Brown</i>                          | BANKRUPTCY CASE NO.<br><i>17-19972-MLB</i>                   |                             |
| DISTRICT IN WHICH CASE IS PENDING<br><i>Western Washington</i> | DIVISION OFFICE<br><i>Western WA</i>                         | NAME OF JUDGE<br><i>MLB</i> |
| RELATED ADVERSARY PROCEEDING (IF ANY)                          |  |                             |
| PLAINTIFF  | DEFENDANT  | ADVERSARY PROCEEDING NO.    |
| DISTRICT IN WHICH ADVERSARY IS PENDING                         |  | DIVISION OFFICE             |
| SIGNATURE OF ATTORNEY (OR PLAINTIFF)                           |  |                             |
| DATE<br><i>4/21/2018</i>                                       | PRINT NAME OF ATTORNEY (OR PLAINTIFF)<br><i>Angela Brown</i> |                             |

**INSTRUCTIONS**

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also complete and file Form 1040, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court's Case Management/Electronic Case Filing system (CM/ECF). (CM/ECF captures the information on Form 1040 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

**Plaintiffs and Defendants.** Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

**Attorneys.** Give the names and addresses of the attorneys, if known.

**Party.** Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

**Demand.** Enter the dollar amount being demanded in the complaint.

**Signature.** This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.